

UNOFFICIAL VERSION

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MONDAY, APRIL 10, 2017

TWENTY-FOURTH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 3:00 p.m., and was called to order by Mr. Speaker McNally.

PRAYER

The proceedings were opened with prayer by Minister Matt Purdom of Brentwood Baptist Church in Brentwood, Tennessee, a guest of Senator Gardenhire.

PLEDGE OF ALLEGIANCE

Senator Gardenhire led the Senate in the Pledge of Allegiance to the Flag.

SALUTE TO THE FLAG OF TENNESSEE

Senator Gardenhire led the Senate in the Salute to the Flag of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present 32

Senators present were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

COMMUNICATION

Friday, April 7, 2017

Lieutenant Governor Randy McNally
301 6th Avenue North, Suite 1 Legislative Plaza
Nashville, TN 37243

Dear Lieutenant Governor McNally:

Please excuse my absence from Session on Monday, April 10, 2017. I am requesting this excused absence due to a conflict in my schedule that requires my presence in Morristown.

Thank you for your time and consideration.

Best regards,

/s/ Steve Southerland

APPROVED: Lieutenant Governor
Randy McNally

STANDING COMMITTEE REPORTS

HEALTH AND WELFARE

MR. SPEAKER: Your Committee on Health and Welfare begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 188 with amendment, 268 with amendment, 615, 852, 1016 with amendment, 1170 with amendment, 1203, 1204 and 1320 with amendment; and Senate Resolution No. 37; also, recommend that Senate Bills Nos. 1155 with amendment, 1227 with amendment and 1309 with amendment be referred to Committee on Finance, Ways and Means.

CROWE, Chairperson
April 10, 2017

The Speaker announced that he had referred Senate Bills Nos. 188 with amendment, 268 with amendment, 615, 852, 1016 with amendment, 1170 with amendment, 1203, 1204 and 1320 with amendment; and Senate Resolution No. 37 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1155 with amendment, 1227 with amendment and 1309 with amendment to the Committee on Finance, Ways and Means.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 1454** be passed on first consideration, which motion prevailed.

INTRODUCTION OF BILL

The Speaker announced the following bill was filed for introduction and passed first consideration:

Senate Bill No. 1454 by Senator Johnson.

Franklin -- Subject to local approval, changes charter provisions related to annexation to align with changes in state law for annexation. Amends Chapter 79 of the Acts of 1903; as amended.

MOTION

Senator Norris moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 18, 449, 528, 567, 844 and 1103** be passed on first consideration, which motion prevailed.

HOUSE BILLS ON FIRST CONSIDERATION

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

House Bill No. 18 -- Drugs, Prescription -- As introduced, prohibits a health benefit plan from denying coverage for a refill of prescription eye drops after certain time periods for a 30, 60, and 90-day supply of the drops. Amends TCA Title 56.

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House Bill No. 449 -- Education -- As introduced, requires the office of research and education accountability to study the Response to Instruction and Intervention framework and submit a report on its implementation in elementary schools to the members of the education committee of the senate and the education administration and planning committee of the house of representatives no later than July 1, 2018. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3; Title 49, Chapter 5 and Title 49, Chapter 6.

House Bill No. 528 -- Hospitals and Health Care Facilities -- As introduced, excludes independent living facilities from regulation by the board for licensing health care facilities; sets inspection schedule for certain healthcare facilities at three years from the last inspection instead of 15 months; clarifies medication administration authority in residential homes for the aged. Amends TCA Section 68-11-201; Section 68-11-204 and Section 68-11-210.

House Bill No. 567 -- Probate Law -- As introduced, revises various provisions relative to wills, trusts, and guardianship. Amends TCA Title 30; Title 31; Title 32; Title 34 and Title 35.

House Bill No. 844 -- Taxes, Excise -- As introduced, requires the commissioner of revenue to annually report the total number of jobs created for which franchise and excise tax credits were claimed for the preceding fiscal year to the members of the finance, ways and means committees of the senate and the house of representatives. Amends TCA Title 67, Chapter 4, Part 20 and Title 67, Chapter 4, Part 21.

House Bill No. 1103 -- Animal Control -- As introduced, requires animal shelters to hold a cat or dog for at least 48 hours and make reasonable attempts to contact the animal's owner during that time before spaying or neutering the animal; requires the animal shelter to keep records of such attempts at contact. Amends TCA Title 39, Chapter 14, Part 2; Title 44 and Section 55-4-290.

MOTION

Senator Norris moved, pursuant to Rule 33 and Article II, Section 18 of the Constitution of the State of Tennessee, that **Senate Bills Nos. 1447 through 1453** be passed on second consideration and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced the following bills passed second consideration and were referred to the appropriate committees or held on the Clerk's desk:

Senate Bill No. 1447 Local bill -- held on desk.

Senate Bill No. 1448 Local bill -- held on desk.

Senate Bill No. 1449 Local bill -- held on desk.

Senate Bill No. 1450 Local bill -- held on desk.

Senate Bill No. 1451 Local bill -- held on desk.

Senate Bill No. 1452 Local bill -- held on desk.

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Senate Bill No. 1453 Local bill -- held on desk.

MOTION

Senator Norris moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 313 and 314** be passed on first consideration and lie over, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 313 by Mr. Speaker McNally and Senator Norris.
General Assembly, Recess & Reconvene -- Recesses senate at the close of business on April 20, 2017, and reconvenes senate at 3:00 p.m. on May 1, 2017.

Senate Joint Resolution No. 314 by Senator Ketron.
Memorials, Recognition -- St. Paul's Episcopal Church, 125th Anniversary.

MOTION

Senator Norris moved, pursuant to Rule 21, **House Joint Resolutions Nos. 88, 100 and 239 through 251; Senate Joint Resolutions Nos. 296 through 298 and 300 through 312; and Senate Resolutions Nos. 54 through 58** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

RESOLUTIONS LYING OVER

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

House Joint Resolution No. 88 -- General Assembly, Statement of Intent or Position -- Directs that tactile Braille American flag be displayed in public lobby of new legislative office building.

The Speaker announced that he had referred House Joint Resolution No. 88 to the Committee on State and Local Government.

House Joint Resolution No. 100 -- General Assembly, Statement of Intent or Position -- Urges individuals with mental health conditions to participate in the Tennessee Yellow DOT program.

The Speaker announced that he had referred House Joint Resolution No. 100 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 239 -- Memorials, Death -- Dr. William L. Sanders.

The Speaker announced that he had referred House Joint Resolution No. 239 to the Committee on Calendar.

House Joint Resolution No. 240 -- Memorials, Retirement -- Dr. Katie High.

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The Speaker announced that he had referred House Joint Resolution No. 240 to the Committee on Calendar.

House Joint Resolution No. 241 -- Memorials, Recognition -- Ken and Marca Young.

The Speaker announced that he had referred House Joint Resolution No. 241 to the Committee on Calendar.

House Joint Resolution No. 242 -- Memorials, Academic Achievement -- Maleah Walker, Valedictorian, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 242 to the Committee on Calendar.

House Joint Resolution No. 243 -- Memorials, Academic Achievement -- Amanda Bennett, Salutatorian, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 243 to the Committee on Calendar.

House Joint Resolution No. 244 -- Memorials, Academic Achievement -- Hannah Jamerson, Top Ten, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 244 to the Committee on Calendar.

House Joint Resolution No. 245 -- Memorials, Academic Achievement -- Kaitlyn Burnette, Top Ten, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 245 to the Committee on Calendar.

House Joint Resolution No. 246 -- Memorials, Academic Achievement -- Yuxin Dong, Top Ten, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 246 to the Committee on Calendar.

House Joint Resolution No. 247 -- Memorials, Academic Achievement -- Casey Thyen, Top Ten, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 247 to the Committee on Calendar.

House Joint Resolution No. 248 -- Memorials, Academic Achievement -- Shelby Rummage, Top Ten, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 248 to the Committee on Calendar.

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House Joint Resolution No. 249 -- Memorials, Academic Achievement -- Haley Henderson, Top Ten, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 249 to the Committee on Calendar.

House Joint Resolution No. 250 -- Memorials, Academic Achievement -- Nicholas Burleson, Top Ten, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 250 to the Committee on Calendar.

House Joint Resolution No. 251 -- Memorials, Academic Achievement -- Garrett Johnson, Top Ten, Spring Hill High School.

The Speaker announced that he had referred House Joint Resolution No. 251 to the Committee on Calendar.

Senate Joint Resolution No. 296 -- Memorials, Personal Achievement -- Kody Baker, Eagle Scout.

The Speaker announced that he had referred Senate Joint Resolution No. 296 to the Committee on Calendar.

Senate Joint Resolution No. 297 -- Memorials, Public Service -- Lawrence Hahn, Boys & Girls Clubs.

The Speaker announced that he had referred Senate Joint Resolution No. 297 to the Committee on Calendar.

Senate Joint Resolution No. 298 -- Memorials, Recognition -- Betty Weemes.

The Speaker announced that he had referred Senate Joint Resolution No. 298 to the Committee on Calendar.

Senate Joint Resolution No. 300 -- Memorials, Recognition -- Allan and Bea Brown, 2016 Blanche W. Grady Community Service Award.

The Speaker announced that he had referred Senate Joint Resolution No. 300 to the Committee on Calendar.

Senate Joint Resolution No. 301 -- Memorials, Sports -- Greeneville High School Lady Devils soccer team, State Champions.

The Speaker announced that he had referred Senate Joint Resolution No. 301 to the Committee on Calendar.

Senate Joint Resolution No. 302 -- Memorials, Recognition -- Sam Milhollin, 2017 Youth Leadership Award.

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The Speaker announced that he had referred Senate Joint Resolution No. 302 to the Committee on Calendar.

Senate Joint Resolution No. 303 -- Memorials, Recognition -- Aubrey Randy Burleson, 2017 Community Leadership Award.

The Speaker announced that he had referred Senate Joint Resolution No. 303 to the Committee on Calendar.

Senate Joint Resolution No. 304 -- Memorials, Academic Achievement -- Raiha Abbas, Valedictorian, William Blount High School.

The Speaker announced that he had referred Senate Joint Resolution No. 304 to the Committee on Calendar.

Senate Joint Resolution No. 305 -- Memorials, Academic Achievement -- Gary Daniel Burns, Salutatorian, William Blount High School.

The Speaker announced that he had referred Senate Joint Resolution No. 305 to the Committee on Calendar.

Senate Joint Resolution No. 306 -- Memorials, Death -- Garry Kreis.

The Speaker announced that he had referred Senate Joint Resolution No. 306 to the Committee on Calendar.

Senate Joint Resolution No. 307 -- Memorials, Professional Achievement -- Perry Massengill, Fisheries Technician of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 307 to the Committee on Calendar.

Senate Joint Resolution No. 308 -- Memorials, Professional Achievement -- John Hammonds, Biologist of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 308 to the Committee on Calendar.

Senate Joint Resolution No. 309 -- Memorials, Public Service -- R.L. "Tom" Carpenter.

The Speaker announced that he had referred Senate Joint Resolution No. 309 to the Committee on Calendar.

Senate Joint Resolution No. 310 -- Memorials, Personal Occasion -- Ethel Miller, 106th Birthday.

The Speaker announced that he had referred Senate Joint Resolution No. 310 to the Committee on Calendar.

Senate Joint Resolution No. 311 -- Memorials, Death -- Christopher Ryan White.

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The Speaker announced that he had referred Senate Joint Resolution No. 311 to the Committee on Calendar.

Senate Joint Resolution No. 312 -- Memorials, Retirement -- Dean Headrick.

The Speaker announced that he had referred Senate Joint Resolution No. 312 to the Committee on Calendar.

Senate Resolution No. 54 -- Memorials, Interns -- Kaleigh Chitwood.

The Speaker announced that he had referred Senate Resolution No. 54 to the Committee on Calendar.

Senate Resolution No. 55 -- Memorials, Death -- Leona Riff Edwards.

The Speaker announced that he had referred Senate Resolution No. 55 to the Committee on Calendar.

Senate Resolution No. 56 -- Memorials, Death -- Charles Clinton Crow.

The Speaker announced that he had referred Senate Resolution No. 56 to the Committee on Calendar.

Senate Resolution No. 57 -- Memorials, Death -- Geneva Briley.

The Speaker announced that he had referred Senate Resolution No. 57 to the Committee on Calendar.

Senate Resolution No. 58 -- Memorials, Interns -- Cooper Byers.

The Speaker announced that he had referred Senate Resolution No. 58 to the Committee on Calendar.

NOTICE

MESSAGE FROM THE HOUSE

April 6, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 256, substituted for House Bill on same subject, amended, and passed by the House.

TAMMY LETZLER,
Chief Clerk

CONSENT CALENDAR NO. 1

Senate Joint Resolution No. 295 -- Memorials, Personal Occasion -- Hazel Allen Gordon, 100th Birthday.

House Joint Resolution No. 234 -- Memorials, Sports -- Upperman High School Special Olympics basketball team.

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House Joint Resolution No. 235 -- Memorials, Academic Achievement -- Isabelle Osburn, Salutatorian, Tennessee Virtual Online School.

House Joint Resolution No. 236 -- Memorials, Academic Achievement -- Kaylee Windham, Valedictorian, Tennessee Virtual Online School.

House Joint Resolution No. 238 -- Memorials, Sports -- Upperman High School girls' basketball team TSSAA Division I Class AA State Champions.

Senator Massey moved that all Senate Joint Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CONSENT CALENDAR NO. 2

Objections having been raised, the following bills were placed at the heel of the calendar for Thursday, April 13, 2017, pursuant to Rule 38: **Senate Bills Nos. 568 and 927**.

Senate Bill No. 357 -- Credit Unions -- As introduced, increases from \$10,000 to \$15,000 the aggregate amount that a credit union may pay out of all accounts or contents of safe deposit boxes maintained by a deceased shareholder or depositor. Amends TCA Title 45.

On motion, Senate Bill No. 357 was made to conform with **House Bill No. 150**.

On motion, House Bill No. 150, on same subject, was substituted for Senate Bill No. 357.

Senate Bill No. 665 -- Taxes, Hotel/Motel -- As introduced, requires comptroller to audit expenditures made from proceeds of the hotel-motel tax levied by Hamilton County; requires the recipient of the proceeds to pay the costs of the audit from the proceeds received. Amends TCA Title 67, Chapter 4, Part 14 and Chapter 444 of the Public Acts of 1983; Chapter 905 of the Public Acts of 1980 and Chapter 918 of the Public Acts of 1988.

Senate Bill No. 763 -- Tennessee Emergency Management Agency (TEMA) -- As introduced, establishes that local emergency management agency personnel have all rights, benefits, privileges, and protections available pursuant to state and local laws, including death benefits in the amount of \$25,000. Amends TCA Title 39, Chapter 13, Part 1 and Title 58.

Senate Bill No. 837 -- TennCare -- As introduced, requires managed care organizations participating in the TennCare program to annually report to the bureau of TennCare certain information regarding treatment of claims for mental health and alcoholism or drug dependence benefits in relation to the requirements of the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. Amends TCA Title 56 and Title 71.

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Senate Bill No. 956 -- Insurance, Motor Vehicles -- As introduced, clarifies that off-highway vehicles operated on public roads are covered under the definition of "uninsured motor vehicle" for purposes of being covered under an uninsured motorist policy. Amends TCA Title 55, Chapter 12; Title 55, Chapter 8 and Title 56, Chapter 7.

On motion, Senate Bill No. 956 was made to conform with **House Bill No. 77**.

On motion, House Bill No. 77, on same subject, was substituted for Senate Bill No. 956.

Senate Bill No. 1160 -- Holidays and Days of Special Observance -- As introduced, creates "Tennessee Rural Mayors Day" to be observed on the first Monday of October each year. Amends TCA Title 15, Chapter 2.

Senate Joint Resolution No. 250 -- General Assembly, Statement of Intent or Position -- Expresses support for adult immunizations.

Senate Joint Resolution No. 294 -- General Assembly, Confirmation of Appointment -- Herbert H. Hilliard, Tennessee Regulatory Authority.

House Joint Resolution No. 108 -- Memorials, Recognition -- World Sickle Cell Day.

Senator Massey moved that all Senate Joint Resolutions be adopted; all House Joint Resolutions be concurred in; and all Senate Bills and House Bills be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

CALENDAR

Senate Bill No. 136 -- Education -- As introduced, modifies current language from requiring full fire drills to occur once in the first 30 days of the school year and one every two months to require such drills to occur four times each year with the first one occurring in the first 14 full school days and the remaining to occur unannounced. Amends TCA Title 49 and Title 68, Chapter 102, Part 1.

Senator Overbey declared Rule 13 on **Senate Bill No. 136**.

On motion, Senate Bill No. 136 was made to conform with **House Bill No. 192**.

On motion, House Bill No. 192, on same subject, was substituted for Senate Bill No. 136.

Senator Gresham moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all the language after the enacting clause and by substituting the following:

SECTION 1. Tennessee Code Annotated, Section 68-102-137(b), is amended by deleting this subsection and substituting instead the following language:

(b) Fire drills requiring full evacuation shall be held at least once a month during the school year, with an additional fire drill to be conducted within the first thirty (30) days of operation in educational occupancies where such occupancies constitute the major occupancy of a building, and at least once every two (2) months in institutional occupancies where such occupancies constitute the major occupancy of a building. In educational occupancies, after four (4) fire drills have been conducted, no more than four (4) of the remaining fire drills may be substituted with in-class training. A record of all fire drills, including the time and date, shall be kept in the respective school or institutional offices, and shall be made available upon request to the commissioner, or the commissioner's deputies or assistants, for inspection and review.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 192**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senator Johnson moved that **Senate Bill No. 261** be placed on the first Calendar of 2018, which motion prevailed.

Senator Briggs moved that **Senate Bill No. 297** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

Senator Johnson moved that **Senate Bill No. 444** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 464 -- Public Records -- As introduced, requires a records custodian, if that records custodian requires a request for copies of public records to be in writing, to accept a handwritten request submitted in person or by mail, an email request, or a request on an electronic form submitted online; requires a request for a records request form to be provided by the most expeditious means possible. Amends TCA Title 10, Chapter 7, Part 5.

On motion, Senate Bill No. 464 was made to conform with **House Bill No. 58**.

On motion, House Bill No. 58, on same subject, was substituted for Senate Bill No. 464.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-503, is amended by deleting subdivision (a)(7)(A) and substituting instead the following:

(i) A governmental entity shall not require a written request or assess a charge to view a public record unless otherwise required by law. Requests to view public records may be submitted in person or by telephone, fax, mail, or email if the governmental entity uses such means of communication to transact official business, or via internet portal if the governmental entity maintains an internet portal that is used for accepting public records requests.

(ii) A governmental entity may require a request for copies of public records to be:

(a) In writing;

(b) On a form that complies with § 10-7-503(c); or

(c) On a form developed by the office of open records counsel.

(iii) If a governmental entity does not require a request for copies to be in writing or on a form in accordance with subdivision (a)(7)(A)(ii), then a request for copies of public records may be submitted as provided in subdivision (a)(7)(A)(i).

(iv) If a governmental entity requires a request to be in writing under subdivision (a)(7)(A)(ii)(a), the records custodian of the governmental entity shall accept any of the following:

(a) A request submitted in person or by mail;

(b) An email request if the governmental entity uses email to transact official business; and

(c) A request submitted on an electronic form via internet portal if the governmental entity maintains an internet portal that is used for accepting public records requests.

(v) If a governmental entity requires that a request for copies of public records be made on a form as provided in subdivision (a)(7)(A)(ii), then the governmental entity shall provide such form in the most expeditious means possible when the form is requested.

(vi) A governmental entity may require any person making a request to view or make a copy of a public record to present a government-issued photo identification, if the person possesses photo identification, that includes the person's address. If a person does not possess photo identification, the governmental entity may require other forms of identification acceptable to the governmental entity.

(vii) Notwithstanding any other law to the contrary:

(a) If a person makes two (2) or more requests to view a public record within a six-month period and, for each request, the person fails to view the public record within fifteen (15) business days of receiving notification that the record is available to view, the governmental entity is not required to comply with any public records request from the person for a period of six (6) months from the date of the second request to view the public record unless the governmental entity determines failure to view the public record was for good cause; and

(b) If a person makes a request for copies of a public record and, after copies have been produced, the person fails to pay to the governmental entity the cost for producing such copies, the governmental entity is not required to comply with any public records request from the person until the person pays for such copies; provided, that the person was provided with an estimated cost for producing the copies in accordance with subdivision (a)(7)(C)(ii) prior to producing the copies and the person agreed to pay the estimated cost for such copies.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **House Bill No. 58**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 482 -- Corporations, Not for Profit -- As introduced, requires the secretary of state to report to the general assembly by January 15, 2018, on issues concerning nonprofit corporations that use more than one assumed corporate name and the need, if any, for any appropriate adjustment to either the effective period for using the name or the limit on the number of names that may be used. Amends TCA Section 48-207-101(d)(4) and Section 48-54-101(d)(4).

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 48-54-101(d)(4), is amended by deleting the subdivision and substituting the following:

(4) The right to use an assumed corporate name shall be effective for five (5) years from the date of filing by the secretary of state.

SECTION 2. Tennessee Code Annotated, Section 48-207-101(d)(4), is amended by deleting the subdivision and substituting the following:

(4) The right to use an assumed name shall be effective for five (5) years from the date of filing by the secretary of state.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 482**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 494 -- Marriage -- As introduced, authorizes a member of the armed forces of the United States who is deployed to another country to apply for a marriage license by submitting a notarized statement to the county clerk and to designate a proxy to appear at the marriage ceremony. Amends TCA Title 36, Chapter 3.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-3-302, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(b) For the purposes of satisfying the requirement in subsection (a) that each party must make a declaration in the presence of a minister or officer, a person may appear at the marriage ceremony via video conferencing if the person is a member of the armed forces of the United States stationed in another country in support of combat or another military operation.

SECTION 2. Tennessee Code Annotated, Section 36-3-104, is amended by designating the existing language of subsection (a) as subdivision (a)(1) and adding the following as a new subdivision (a)(2):

(A) If an applicant is a member of the armed forces of the United States stationed in another country in support of combat or another military operation, the applicant shall submit:

(i) A notarized statement containing the applicant's name, age, address in the United States, if applicable, and the names and addresses of the applicant's parents, guardian, or next of kin;

(ii) A certified copy of the applicant's deployment orders; and

(iii) An affidavit from the battalion, ship, or squadron commander, as applicable, notarized by the judge advocate stating that the applicant is deployed.

(B) A person submitting a statement under subdivision (a)(2)(A) who intends to appear for the marriage ceremony via video conferencing pursuant to § 36-3-302(b) must indicate such intention in the statement.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 494**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 513 -- Safety, Dept. of -- As introduced, requires the department, no later than August 1, 2017, and by August 1 of each subsequent year, to report to the members of the house transportation committee and the senate transportation and safety committee of the general assembly the total number of traffic violations that involve motor vehicles operated by autonomous

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technology in each political subdivision of the state for the preceding fiscal year. Amends TCA Title 5; Title 6; Title 7; Title 39; Title 40; Title 54; Title 55; Title 56; Title 65 and Title 67.

Senate Bill No. 513 passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 542 -- Alcoholic Beverage Commission -- As introduced, requires the commission to report the number of premier type tourist resort licensees for calendar year 2017 to the appropriate standing committees of the general assembly no later than February 1, 2018. Amends TCA Title 57, Chapter 4, Part 1.

On motion, Senate Bill No. 542 was made to conform with **House Bill No. 527**.

On motion, House Bill No. 527, on same subject, was substituted for Senate Bill No. 542.

On motion of Senator Yager, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 527** passed its third and final consideration by the following vote:

Ayes	28
Noes	2
Present, not voting . . .	1

Senators voting aye were: Bailey, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally --28.

Senators voting no were: Beavers and Hensley--2.

Senator present and not voting was: Bell--1.

A motion to reconsider was tabled.

Senate Bill No. 555 -- Victims' Rights -- As introduced, deletes the provision giving an alleged offender the right to have notice of and suspend all action concerning a claim for compensation by the victim under the criminal injuries compensation fund. Amends TCA Section 29-13-108.

On motion, Senate Bill No. 555 was made to conform with **House Bill No. 29**.

On motion, House Bill No. 29, on same subject, was substituted for Senate Bill No. 555.

House Bill No. 29 passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 565 -- Professions and Occupations -- As introduced, enacts the "Revised Uniform Athlete Agents Act of 2015." Amends TCA Title 49.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 21, is amended by deleting the part and substituting instead the following:

49-7-2101. Short title.

This part shall be known and may be cited as the "Revised Uniform Athlete Agents Act".

49-7-2102. Definitions.

As used in this part:

(1) "Agency contract" means an agreement in which a student athlete authorizes a person to negotiate or solicit on behalf of the athlete a professional-sports-services contract or endorsement contract;

(2) "Athlete agent":

(A) Means an individual, whether or not registered under this part, who:

(i) Directly or indirectly recruits or solicits a student athlete to enter into an agency contract or, for compensation, procures employment or offers, promises, attempts, or negotiates to obtain employment for a student athlete as a professional athlete or member of a professional sports team or organization or enrollment at any college, university, or community or junior college that offers an athletic scholarship to the student athlete;

(ii) For compensation or in anticipation of compensation related to a student athlete's participation in athletics:

(a) Serves the athlete in an advisory capacity on a matter related to finances, business pursuits, or career management decisions, unless the individual is an employee of an educational institution acting exclusively as an employee of the institution for the benefit of the institution; or

(b) Manages the business affairs of the athlete by providing assistance with bills, payments, contracts, or taxes; or

(iii) In anticipation of representing a student athlete for a purpose related to the athlete's participation in athletics:

(a) Gives consideration to the student athlete or another person;

(b) Serves the athlete in an advisory capacity on a matter related to finances, business pursuits, or career management decisions; or

(c) Manages the business affairs of the athlete by providing assistance with bills, payments, contracts, or taxes;

(B) Does not include an individual who:

(i) Acts solely on behalf of a professional sports team or organization; or

(ii) Is a licensed, registered, or certified professional and offers or provides services to a student athlete customarily provided by members of the profession, unless the individual:

(a) Also recruits or solicits the athlete to enter into an agency contract;

(b) Also, for compensation, procures employment or offers, promises, attempts, or negotiates to obtain employment for the athlete as a professional athlete or member of a professional sports team or organization; or

(c) Receives consideration for providing the services calculated using a different method than for an individual who is not a student athlete;

(3) "Athletic director" means the individual responsible for administering the overall athletic program of an educational institution or, if an educational institution has separately administered athletic programs for male students and female students, the athletic program for males or the athletic program for females, as appropriate;

(4) "Commission" means the Commission on Interstate Registration of Athlete Agents;

(5) "Educational institution" includes a public or private elementary school, secondary school, technical or vocational school, community college, college, and university;

(6) "Endorsement contract" means an agreement under which a student athlete is employed or receives consideration to use on behalf of the other party any value that the athlete may have because of publicity, reputation, following, or fame obtained because of athletic ability or performance;

(7) "Enrolled" means registered for courses and attending athletic practice or class. "Enrolls" has a corresponding meaning;

(8) "Intercollegiate sport" means a sport played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association that promotes or regulates collegiate athletics;

(9) "Interscholastic sport" means a sport played between educational institutions that are not community colleges, colleges, or universities;

(10) "Licensed, registered, or certified professional" means an individual licensed, registered, or certified as an attorney, dealer in securities, financial planner, insurance agent, real estate broker or sales agent, tax consultant, accountant, or member of a profession, other than that of athlete agent, who is licensed, registered, or certified by the state or a nationally recognized organization that licenses, registers, or certifies members of the profession on the basis of experience, education, or testing;

(11) "Person" means an individual; estate; business or nonprofit entity; public corporation; government or governmental subdivision, agency, or instrumentality; or other legal entity;

(12) "Professional-sports-services contract" means an agreement under which an individual is employed as a professional athlete or agrees to render services as a player on a professional sports team or with a professional sports organization;

(13) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

(14) "Recruit" or "solicit" means attempt to influence the choice of an athlete agent by a student athlete or, if the athlete is a minor, a parent or guardian of the athlete. The terms do not include giving advice on the selection of a particular agent in a family, coaching, or social situation unless the individual giving the advice does so because of the receipt or anticipated receipt of an economic benefit, directly or indirectly, from the agent;

(15) "Registration" means registration as an athlete agent under this part;

(16) "Sign" means, with present intent to authenticate or adopt a record:

(A) To execute or adopt a tangible symbol; or

(B) To attach to or logically associate with the record an electronic symbol, sound, or process;

(17) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States; and

(18) "Student athlete" means an individual who is eligible to attend an educational institution and engages in, is eligible to engage in, or may be eligible in the future to engage in, any interscholastic or intercollegiate sport. The term does not include an individual permanently ineligible to participate in a particular interscholastic or intercollegiate sport for that sport.

49-7-2103. Authority; procedure.

(a) The Uniform Administrative Procedures Act, compiled in title 4, chapter 5, applies to this part. The secretary of state may adopt rules under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to implement this part.

(b) A person, resident or nonresident, who does business in this state as an athlete agent, regardless of whether such person is registered pursuant to this part, shall:

(1) By so doing, consent to the jurisdiction of the courts of this state;

(2) Be subject to suit in this state; and

(3) Be deemed to have appointed the secretary of state as such person's agent to accept service of process in any civil action related to such person doing business as an athlete agent that is commenced against such person in this state.

(c) The secretary of state or the secretary's designee may:

(1) Conduct public or private investigations, within or outside of this state, which the secretary deems necessary or appropriate to determine whether a person has violated, is violating, or is about to violate this part or a rule adopted under this part, or to aid in the enforcement of this part or in the adoption of rules and forms under this part;

(2) Require or permit a person to testify, file a statement, or produce a record, under oath or otherwise as the secretary determines, as to all the facts and circumstances concerning a matter to be investigated or about which an action or proceeding is to be instituted; and

(3) Publish a record concerning an action, proceeding, or an investigation under, or a violation of, this part or a rule adopted under this part, if the secretary determines it is necessary or appropriate in the public interest.

(d) For purposes of conducting an investigation under this part, the secretary or the secretary's designee may administer oaths and affirmations, subpoena witnesses, seek compulsion of attendance, take evidence, require the filing of statements, and require the production of any records that the secretary considers relevant or material to the investigation.

49-7-2104. Athlete agent: registration required; void contract.

(a) Except as otherwise provided in subsection (b), an individual may not act as an athlete agent in this state without holding a certificate of registration under this part.

(b) Before being issued a certificate of registration under this part an individual may act as an athlete agent in this state for all purposes except signing an agency contract, if:

(1) A student athlete or another person acting on behalf of the athlete initiates communication with the individual; and

(2) Not later than seven (7) days after an initial act that requires the individual to register as an athlete agent, the individual submits an application for registration as an athlete agent in this state.

(c) An agency contract resulting from conduct in violation of this section is void, and the athlete agent shall return any consideration received under the contract.

49-7-2105. Registration as athlete agent; application; requirements; reciprocal registration.

(a) An applicant for registration as an athlete agent shall submit an application for registration to the secretary of state in a form prescribed by the secretary of state. An application filed under this section is a public record for purposes of title 10, chapter 7. The applicant must be an individual, and the application must be signed by the applicant under penalty of perjury. The application must contain at least the following:

(1) The name, date, and place of birth of the applicant and the following contact information for the applicant:

(A) The address of the applicant's principal place of business;

(B) Work and mobile telephone numbers; and

(C) Any means of communicating electronically, including a facsimile number, electronic mail address, and personal and business or employer websites;

(2) The name of the applicant's business or employer, if applicable, including for each business or employer, its mailing address, telephone number, organization form, and the nature of the business;

(3) Each social media account with which the applicant or the applicant's business or employer is affiliated;

(4) Each business or occupation in which the applicant engaged within five (5) years before the date of the application, including self-employment and employment by others, and any professional or occupational license, registration, or certification held by the applicant during that time;

(5) A description of the applicant's:

(A) Formal training as an athlete agent;

(B) Practical experience as an athlete agent; and

(C) Educational background relating to the applicant's activities as an athlete agent;

(6) The name of each student athlete for whom the applicant acted as an athlete agent within five (5) years before the date of the application or, if the individual is a minor, the name of the parent or guardian of the minor, together with the athlete's sport and last known team;

(7) The name and address of each person that:

(A) Is a partner, member, officer, manager, associate, or profit sharer or directly or indirectly holds an equity interest of five percent (5%) or greater of the athlete agent's business if it is not a corporation; and

(B) Is an officer or director of a corporation employing the athlete agent or a shareholder having an interest of five percent (5%) or greater in the corporation;

(8) A description of the status of any application by the applicant, or any person named under subdivision (a)(7), for a state or federal business, professional, or occupational license, other than as an athlete agent, from a state or federal agency, including any denial, refusal to renew, suspension, withdrawal, or termination of the license and any reprimand or censure related to the license;

(9) Whether the applicant, or any person named under subdivision (a)(7), has pleaded guilty or no contest to, has been convicted of, or has charges pending for, a crime that would involve moral turpitude or be a felony if committed in this state and, if so, identification of:

(A) The crime;

(B) The law enforcement agency involved; and

(C) If applicable, the date of the conviction and the fine or penalty imposed;

(10) Whether, within fifteen (15) years before the date of application, the applicant, or any person named under subdivision (a)(7), has been a defendant or respondent in a civil proceeding, including a proceeding seeking an adjudication of legal incompetence and, if so, the date and a full explanation of each proceeding;

(11) Whether the applicant, or any person named under subdivision (a)(7), has an unsatisfied judgment or a judgment of continuing effect, including alimony or a domestic order in the nature of child support, which is not current at the date of the application;

(12) Whether, within ten (10) years before the date of application, the applicant, or any person named under subdivision (a)(7), was adjudicated bankrupt or was an owner of a business that was adjudicated bankrupt;

(13) Whether there has been any administrative or judicial determination that the applicant, or any person named under subdivision (a)(7), made a false, misleading, deceptive, or fraudulent representation;

(14) Each instance in which conduct of the applicant, or any person named under subdivision (a)(7), resulted in the imposition of a sanction, suspension, or declaration of ineligibility to participate in an interscholastic sport, intercollegiate sport, or professional athletic event on a student athlete or a sanction on an educational institution;

(15) Each sanction, suspension, or disciplinary action taken against the applicant, or any person named under subdivision (a)(7), arising out of occupational or professional conduct;

(16) Whether there has been a denial of an application for, suspension or revocation of, refusal to renew, or abandonment of, the

registration of the applicant, or any person named under subdivision (a)(7), as an athlete agent in any state;

(17) Each state in which the applicant currently is registered as an athlete agent or has applied to be registered as an athlete agent;

(18) If the applicant is certified or registered by a professional league or players association:

(A) The name of the league or association;

(B) The date of certification or registration, and the date of expiration of the certification or registration, if any; and

(C) If applicable, the date of any denial of an application for, suspension or revocation of, refusal to renew, withdrawal of, or termination of, the certification or registration or any reprimand or censure related to the certification or registration; and

(19) Any additional information required by the secretary of state.

(b) Instead of proceeding under subsection (a), an individual registered as an athlete agent in another state may apply for registration as an athlete agent in this state by submitting to the secretary of state:

(1) A copy of the application for registration in the other state;

(2) A statement that identifies any material change in the information on the application or verifies there is no material change in the information, signed under penalty of perjury; and

(3) A copy of the certificate of registration from the other state.

(c) The secretary of state shall issue a certificate of registration to an individual who applies for registration under subsection (b) if the secretary of state determines:

(1) The application and registration requirements of the other state are substantially similar to or more restrictive than this part; and

(2) The registration has not been revoked or suspended and no action involving the individual's conduct as an athlete agent is pending against the individual or the individual's registration in any state.

(d) For purposes of implementing subsection (c), the secretary of state shall:

(1) Cooperate with national organizations concerned with athlete agent issues and agencies in other states which register athlete agents to develop a common registration form and determine which states have laws that are substantially similar to or more restrictive than this part; and

(2) Exchange information, including information related to actions taken against registered athlete agents or their registrations, with those organizations and agencies.

49-7-2106. Certificate of registration; issuance or denial; renewal.

(a) Except as otherwise provided in subsection (b), the secretary of state shall issue a certificate of registration to an applicant for registration who complies with § 49-7-2105(a) and who has submitted the requisite fee.

(b) The secretary of state may refuse to issue a certificate of registration to an applicant for registration under § 49-7-2105(a) if the secretary of state determines that the applicant has engaged in conduct that significantly adversely reflects on the applicant's fitness to act as an athlete agent. In making the determination, the secretary of state may consider whether the applicant has:

(1) Pleaded guilty or no contest to, has been convicted of, or has charges pending for, a crime that would involve moral turpitude or be a felony if committed in this state;

(2) Made a materially false, misleading, deceptive, or fraudulent representation in the application or as an athlete agent;

(3) Engaged in conduct that would disqualify the applicant from serving in a fiduciary capacity;

(4) Engaged in conduct prohibited by § 49-7-2114;

(5) Had a registration as an athlete agent suspended, revoked, or denied in any state;

(6) Been refused renewal of registration as an athlete agent in any state;

(7) Engaged in conduct resulting in imposition of a sanction, suspension, or declaration of ineligibility to participate in an interscholastic sport, intercollegiate sport, or professional athletic event on a student athlete or a sanction on an educational institution; or

(8) Engaged in conduct that adversely reflects on the applicant's credibility, honesty, or integrity.

(c) In making a determination under subsection (b), the secretary of state shall consider:

(1) How recently the conduct occurred;

(2) The nature of the conduct and the context in which it occurred; and

(3) Other relevant conduct of the applicant.

(d) An athlete agent registered under subsection (a) may apply to renew the registration by submitting an application for renewal in a form prescribed by the secretary of state and by submitting the requisite fee. An application filed under this section is a public record for purposes of title 10, chapter 7. The applicant shall sign the application for renewal under penalty of perjury and include current information on all matters required in an original application for registration.

(e) An athlete agent registered under § 49-7-2105(c) may renew the registration by proceeding under subsection (d) or, if the registration in the other state has been renewed, by submitting to the secretary of state copies of the application for renewal in the other state and the renewed registration from the other state. The secretary of state shall renew the registration if the secretary of state determines:

(1) The registration requirements of the other state are substantially similar to or more restrictive than this part; and

(2) The renewed registration has not been suspended or revoked and no action involving the individual's conduct as an athlete agent is pending against the individual or the individual's registration in any state.

(f) A certificate of registration or renewal of registration under this part is valid for two (2) years.

(g) Any registration pursuant to this part shall automatically expire, without notice, on the expiration date set forth on the registration.

(h) A certificate of registration issued to an athlete agent is not transferable.

(i)(1) Notwithstanding this part to the contrary, in reviewing an application for registration or a renewal of registration, the secretary of state may request clarifying information from the applicant, including, but not limited to:

(A) Information concerning any criminal conviction reported pursuant to § 49-7-2105(a)(9);

(B) Information concerning any conduct resulting in sanction, suspension, or declaration of ineligibility of any student athlete or educational institution reported pursuant to § 49-7-2105(a)(14); and

(C) Information concerning denial, suspension, or revocation of registration or licensure reported pursuant to § 49-7-2105(a)(16).

(2) Failure to submit the information within thirty (30) days of the request is grounds for denial, revocation, or refusal to renew a certificate of registration pursuant to this section.

(3) No person shall act as an athlete agent for any purpose within this state pending submission of the clarifying information. A violation of this subdivision (i)(3) is a Class D felony.

49-7-2107. Suspension, revocation, or refusal to renew registration.

(a) After proper notice and an opportunity for hearing, the secretary of state may limit, suspend, revoke, or refuse to renew a registration of an individual registered under § 49-7-2106(a) for conduct that would have justified refusal to issue a certificate of registration under § 49-7-2106(b).

(b) After proper notice and an opportunity for hearing, the secretary of state may suspend or revoke the registration of an individual registered under § 49-7-2105(c) or renewed under § 49-7-2106(e) for any reason for which the secretary of state could have refused to grant or renew the registration, or for conduct that would justify refusal to issue a certificate of registration, under § 49-7-2106(b).

(c) A violation of this part shall be brought to the attention of the secretary of state by written complaint filed by any educational institution or student athlete aggrieved by the violation. If the secretary of state finds from the complaint that there is reasonable cause to believe a violation of this part has occurred, the secretary of state shall commence an athlete agent registration revocation or suspension proceeding. Such a proceeding shall be considered a contested case hearing and shall be conducted in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

49-7-2108. Temporary registration.

The secretary of state may issue a temporary certificate of registration as an athlete agent while an application for registration or renewal of registration is pending.

49-7-2109. Registration and renewal fees.

(a) An application for registration or renewal of registration as an athlete agent must be accompanied by a fee in the following amount:

(1) Five hundred dollars (\$500) for an initial application for registration;

(2) Five hundred dollars (\$500) for registration based on a certificate of registration issued by another state;

(3) Two hundred dollars (\$200) for an application for renewal of registration; or

(4) Two hundred dollars (\$200) for renewal of registration based on a renewal of registration in another state.

(b) All fees submitted for registration or renewal of registration pursuant to this part are nonrefundable regardless of whether the secretary of state issues or denies registration or renewal of registration.

(c) All fees collected pursuant to this part shall be used by the secretary of state to defray the costs of administering this part.

(d) In addition to the fees provided in subsection (a), an athlete agent, registered pursuant to this part, is subject to § 67-4-1702.

49-7-2110. Required form of agency contract.

(a) An agency contract must be in a record signed by the parties, or otherwise authenticated by the parties, in the presence of a notary public who shall duly notarize the contract.

(b) An agency contract must contain:

(1) A statement that the athlete agent is registered as an athlete agent in this state and a list of any other states in which the agent is registered as an athlete agent;

(2) The amount and method of calculating the consideration to be paid by the student athlete for services to be provided by the agent under the contract and any other consideration the agent has received or will receive from any other source for entering into the contract or providing the services;

(3) The name of any person not listed in the agent's application for registration or renewal of registration which will be compensated because the student athlete signed the contract;

(4) A description of any expenses the student athlete agrees to reimburse;

(5) A description of the services to be provided to the student athlete;

(6) The duration of the contract;

(7) The address of the athlete agent to which notices, including notice of cancellation pursuant to § 49-7-2112, shall be sent; and

(8) The date of execution.

(c) Subject to subsection (g), an agency contract must contain a conspicuous notice in boldface type and in substantially the following form:

WARNING TO STUDENT ATHLETE

IF YOU SIGN THIS CONTRACT:

(1) YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT ATHLETE IN YOUR SPORT;

(2) IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER SIGNING THIS CONTRACT OR BEFORE THE NEXT SCHEDULED

ATHLETIC EVENT IN WHICH YOU PARTICIPATE, WHICHEVER OCCURS FIRST, BOTH YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR ATHLETIC DIRECTOR THAT YOU HAVE ENTERED INTO THIS CONTRACT AND PROVIDE THE NAME AND CONTACT INFORMATION OF THE ATHLETE AGENT; AND

(3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THIS CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY AS A STUDENT ATHLETE IN YOUR SPORT.

(d) An agency contract must be accompanied by a separate record signed and notarized by the student athlete or, if the athlete is a minor, the parent or guardian of the athlete acknowledging that signing the contract may result in the loss of the athlete's eligibility to participate in the athlete's sport.

(e) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may void an agency contract that does not conform to this section. If the contract is voided, any consideration received from the athlete agent under the contract to induce entering into the contract is not required to be returned.

(f) At the time an agency contract is executed, the athlete agent shall give the student athlete or, if the athlete is a minor, the parent or guardian of the athlete a duly signed and notarized copy in a record of the contract and the separate acknowledgement required by subsection (d).

(g) If a student athlete is a minor, an agency contract must be signed and notarized by the parent or guardian of the minor and the notice required by subsection (c) must be revised accordingly.

(h) Any contract executed pursuant to this section shall be governed by the laws of this state.

49-7-2111. Notice to educational institution.

(a) As used in this section, "communicating or attempting to communicate" means contacting or attempting to contact by an in-person meeting, a record, or any other method that conveys or attempts to convey a message.

(b) Not later than seventy-two (72) hours after entering into an agency contract, or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete agent shall give notice in a record of the existence of the contract to the athletic director of the educational institution at which the athlete is enrolled or at which the agent has reasonable grounds to believe the athlete intends to enroll.

(c) A copy of the notice required pursuant to subsection (b) must be provided to the educational institution's general counsel.

(d) If the educational institution does not have an athletic director, the notice required pursuant to subsection (b) must be provided to the president of the educational institution.

(e) Not later than seventy-two (72) hours after entering into an agency contract, or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete shall inform the athletic director of the educational institution at which the athlete is enrolled that the athlete has entered into an agency contract and the name and contact information of the athlete agent.

(f) A copy of the notice required pursuant to subsection (e) must be provided to the educational institution's general counsel.

(g) If the educational institution does not have an athletic director, the notice required pursuant to subsection (e) must be provided to the president of the educational institution.

(h) If an athlete agent enters into an agency contract with a student athlete and the athlete subsequently enrolls at an educational institution, the agent shall notify the athletic director of the institution of the existence of the contract not later than seventy-two (72) hours after the agent knew or should have known the athlete enrolled.

(i) A copy of the notice required pursuant to subsection (h) must be provided to the educational institution's general counsel.

(j) If the educational institution does not have an athletic director, the notice required pursuant to subsection (h) must be provided to the president of the educational institution.

(k) If an athlete agent has a relationship with a student athlete before the athlete enrolls in an educational institution and receives an athletic scholarship from the institution, the agent shall notify the athletic director of the educational institution of the relationship not later than ten (10) days after the enrollment, if the agent knows or should have known of the enrollment and:

(1) The relationship was motivated in whole or part by the intention of the agent to recruit or solicit the athlete to enter an agency contract in the future; or

(2) The agent directly or indirectly recruited or solicited the athlete to enter an agency contract before the enrollment.

(l) A copy of the notice required pursuant to subsection (k) must be provided to the educational institution's general counsel.

(m) If the educational institution does not have an athletic director, the notice required pursuant to subsection (k) must be provided to the president of the educational institution.

(n) An athlete agent shall give notice in a record to the athletic director of any educational institution at which a student athlete is enrolled before the agent communicates or attempts to communicate with:

(1) The athlete or, if the athlete is a minor, a parent or guardian of the athlete, to influence the athlete or parent or guardian to enter into an agency contract; or

(2) Another individual to have that individual influence the athlete or, if the athlete is a minor, the parent or guardian of the athlete to enter into an agency contract.

(o) A copy of the notice required pursuant to subsection (n) must be provided to the educational institution's general counsel.

(p) If the educational institution does not have an athletic director, the notice required pursuant to subsection (n) must be provided to the president of the educational institution.

(q) If a communication or attempt to communicate with an athlete agent is initiated by a student athlete or another individual on behalf of the athlete, the agent shall notify in a record the athletic director of any educational institution at which the athlete is enrolled. The notification must be made not later than ten (10) days after the communication or attempt.

(r) A copy of the notice required pursuant to subsection (q) must be provided to the educational institution's general counsel.

(s) If the educational institution does not have an athletic director, the notice required pursuant to subsection (q) must be provided to the president of the educational institution.

(t) An educational institution that becomes aware of a violation of this part by an athlete agent shall notify the secretary of state and any professional league or players association with which the institution is aware the agent is licensed or registered of the violation.

49-7-2112. Student athlete's right to cancel.

(a) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may cancel an agency contract by giving notice in a record of cancellation to the athlete agent not later than fourteen (14) days after the contract is signed.

(b) A student athlete or, if the athlete is a minor, the parent or guardian of the athlete may not under any circumstances waive the right to cancel an agency contract, and any attempted waiver of the right to cancel shall be ineffective.

(c) If a student athlete, parent, or guardian cancels an agency contract, the athlete, parent, or guardian is not required to pay any consideration under the contract or return any consideration received from the athlete agent to influence the athlete to enter into the contract.

49-7-2113. Required records.

(a) An athlete agent shall create and retain for five (5) years from the time of entering an agency contract records of the following:

- (1) The name and address of each individual represented by the agent;
- (2) Each agency contract entered into by the agent; and
- (3) The direct costs incurred by the agent in the recruitment or solicitation of each student athlete to enter into an agency contract.

(b) Records described in subsection (a) are open to inspection by the secretary of state or the secretary's designee during normal business hours.

49-7-2114. Prohibited conduct.

(a) An athlete agent, with the intent to influence a student athlete or, if the athlete is a minor, a parent or guardian of the athlete to enter into an agency contract, shall not take any of the following actions or encourage any other individual to take or assist any other individual in taking any of the following actions on behalf of the agent:

- (1) Give materially false or misleading information or make a materially false promise or representation;
- (2) Furnish anything of value to the athlete before the athlete enters into the contract; or
- (3) Furnish anything of value to an individual other than the athlete or another registered athlete agent.

(b) An athlete agent shall not intentionally do any of the following or encourage any other individual to do any of the following on behalf of the agent:

- (1) Initiate contact, directly or indirectly, with a student athlete or, if the athlete is a minor, a parent or guardian of the athlete, to recruit or solicit the athlete, parent, or guardian to enter an agency contract unless registered under this part;
- (2) Fail to create or retain or to permit inspection of the records required by § 49-7-2113;
- (3) Fail to register when required by § 49-7-2105;
- (4) Provide materially false or misleading information in an application for registration or renewal of registration;
- (5) Predate or postdate an agency contract; or
- (6) Fail to notify a student athlete or, if the athlete is a minor, a parent or guardian of the athlete, before the athlete, parent, or guardian signs an agency contract for a particular sport that the

signing may make the athlete ineligible to participate as a student athlete in that sport.

(c) An athlete agent shall not:

(1) Fail to provide to the secretary of state any statements, documents, records, or testimony required by the secretary of state pursuant to § 49-7-2105 or the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

(2) Fail to post the athlete agent's certificate of registration, or legible copy of the certificate, in each office in this state from which the athlete agent conducts business as an athlete agent; or

(3) Fail to provide proof of registration to any student athlete whom the athlete agent contacts.

49-7-2115. Criminal penalty.

An athlete agent who violates § 49-7-2114 is guilty of a Class E felony and, on conviction, is punishable by a fine of no more than twenty-five thousand dollars (\$25,000) or confinement for no less than one (1) year nor more than six (6) years, or both.

49-7-2116. Civil remedy.

(a) An educational institution or student athlete may bring an action for damages against an athlete agent if the institution or athlete is adversely affected by an act or omission of the agent in violation of this part. An educational institution or student athlete is adversely affected by an act or omission of the agent only if, because of the act or omission, the institution or an individual who was a student athlete at the time of the act or omission and enrolled in the institution:

(1) Is suspended or disqualified from participation in an interscholastic or intercollegiate sports event by or under the rules of a state or national federation or association that promotes or regulates interscholastic or intercollegiate sports; or

(2) Suffers financial damage.

(b) A plaintiff that prevails in an action under this section may recover actual damages, treble damages, punitive damages, costs, and reasonable attorney's fees. An athlete agent found liable under this section forfeits any right of payment for anything of benefit or value provided to the student athlete and shall refund any consideration paid to the agent by or on behalf of the athlete.

(c) A violation of this part is an unfair trade or deceptive practice for purposes of the Unfair Trade Practice and Advertising Act, compiled in title 47, chapter 25, part 9.

49-7-2117. Civil penalty.

The secretary of state may assess a civil penalty against an athlete agent not to exceed fifty thousand dollars (\$50,000) for a violation of this part.

49-7-2118. Uniformity of application and construction.

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

49-7-2119. Relation to Electronic Signatures in Global and National Commerce Act.

This part modifies, limits, or supersedes the Electronic Signatures in Global and National Commerce Act (15 U.S.C. § 7001 et seq.), but does not modify, limit, or supersede Section 101(c) of that act (15 U.S.C. § 7001(c)), or authorize electronic delivery of any of the notices described in Section 103(b) of that act (15 U.S.C. § 7003(b)).

49-7-2120. Severability.

If any provision of this part or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this part which can be given effect without the invalid provision or application, and to this end the provisions of this part are severable.

49-7-2121. Eligibility; impairment of contract.

Nothing in this part:

(1) Prevents a student athlete from relinquishing the athlete's eligibility to compete in intercollegiate sports and then signing an agency contract; or

(2) Impairs the validity of an agency contract entered into prior to July 1, 2001.

49-7-2122. Validity of existing permits.

Any person holding a permit in good standing as a sports agent in this state prior to July 1, 2001, shall be deemed an athlete agent and subject to this part. A permit in good standing shall be valid until the permit's regular annual renewal at which time the agent shall apply for a certificate of registration and shall pay all applicable fees pursuant to § 49-7-2109.

49-7-2123. Violation; cease and desist order; civil penalty; final order enforcement.

(a) If the secretary of state determines that a person has engaged in or is engaging in an act, practice, or course of business constituting a violation of this part or a rule adopted or order issued under this part, or that a person has materially aided or is materially aiding in an act, practice, or course of business constituting a violation of this part or a rule adopted or order issued under this part, the secretary of state or the secretary's designee may:

(1) Issue an order directing the person to cease and desist from engaging in the act, practice, or course of business, or to take other action necessary or appropriate to comply with this part or any rule or order promulgated under this part;

(2) Issue an order imposing an administrative penalty against an athlete agent who violated this part or any rule or order promulgated under this part; and

(3) Take any other action permitted under this part.

(b) An order issued under subdivision (a)(1) is effective on the date of issuance by the secretary. Upon issuance of the order, the secretary of state or the secretary's designee shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been entered. The order must include a statement of any civil penalty or other administrative remedy to be imposed under subdivision (a)(1), a statement of the costs of investigation the secretary of state will seek to recover, a statement of the reasons for the order, and a statement notifying the person of such person's right to a hearing under § 49-7-2107. If a person subject to the order does not request in writing a hearing within thirty (30) days of the date the order is issued and a hearing is not ordered by the hearing officer, the order, including the imposition of a civil penalty or requirement for payment of the costs of investigation, shall become final as to that person by operation of law.

(c) In a final order, the secretary of state or the secretary's designee may charge the actual cost of an investigation or proceeding for a violation of this part or a rule adopted or order issued under this part.

(d) If a petition for judicial review of a final order is not filed in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, or the petition is denied by the court, the secretary of state or the secretary's designee may file a certified copy of the final order with the clerk of a court in the jurisdiction where enforcement will be sought. The order so filed has the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

(e) If a person does not comply with an order issued under this section, the secretary of state or the secretary's designee may petition a court of competent jurisdiction to enforce the order and collect administrative civil penalties and costs imposed under the final order. The court shall not require the secretary of state to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person was not in compliance with the order, the court may adjudge the person in civil contempt of the order. The court may grant any relief the court determines is just and proper in the circumstances.

49-7-2124. Athletic scholarship; influence to accept; disclosure of relationship with institution; violation; penalty.

(a) Any person who, in this state, knowingly influences, or attempts to influence, any student athlete to accept an athletic scholarship that is offered

by an educational institution from which such person receives any compensation or any other thing of value shall provide a written disclosure of such person's relationship with the educational institution to the student athlete concurrently with initially making such influence or attempt to influence. Any person who is required to disclose a relationship with an educational institution to a student athlete pursuant to this subsection (a) shall also provide, within seventy-two (72) hours of providing the written disclosure to the student athlete, a written disclosure of such relationship to the student athlete's parent or legal guardian, the secretary of state, and to the athletic director, president, and the general counsel of the educational institution from which such person has influenced or attempted to influence the student athlete to accept an athletic scholarship.

(b) This section does not apply to any person who is an employee of the educational institution for which such person influences or attempts to influence a student athlete to accept an athletic scholarship.

(c) Failure to provide a written disclosure as required by subsection (a) is a Class E felony punishable by a fine of no more than twenty-five thousand dollars (\$25,000) or confinement for no less than one (1) year nor more than six (6) years, or both.

(d) In addition to the criminal penalty provided in subsection (c), the secretary of state may assess a civil penalty pursuant to § 49-7-2117. Any hearing on the imposition of any fine pursuant to this section shall be in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

49-7-2125. Student loan default; suspension, denial, and revocation of registration.

(a) As used in this section, unless the context otherwise requires:

(1) "Guarantee agency" means a guarantor of student loans that has an agreement with the United States secretary of education; and

(2) "TSAC" means the Tennessee student assistance corporation.

(b) Upon receiving a copy of a final order as provided in subsection (c) from TSAC or a guarantee agency, the secretary of state shall suspend, deny, or revoke the registration of any athlete agent or applicant who has defaulted on a repayment or service obligation under any federal family education loan program, the federal Higher Education Act of 1965 (20 U.S.C. § 1001 et seq.), a student loan guaranteed or administered by TSAC, or any other state or federal educational loan or service-conditional scholarship program.

(c)(1) The secretary of state shall accept any determination of default from TSAC or a guarantee agency, after TSAC or the guarantee agency has afforded a debtor an opportunity to be heard in accordance with subdivision (c)(2); and the secretary of state shall

rescind any disciplinary action and restore any registration upon receiving notice from TSAC or the guarantee agency that the debtor has agreed to serve the debtor's obligation or is in compliance with an approved repayment plan.

(2)(A) Unless a debtor has made satisfactory arrangements according to the lender, TSAC or the guarantee agency, which may include administrative wage garnishment, voluntary payment arrangements, deferment or forbearance, the debtor shall be regarded as delinquent or in default. If a debtor is delinquent or in default on a repayment or service obligation under a guaranteed student loan identified in subsection (b), or the debtor has failed to enter into a payment plan, agreed to a service obligation or complied with a payment plan previously approved by TSAC or the guarantee agency, TSAC or the guarantee agency shall issue to the debtor a notice of intent to file an order with the secretary of state to seek to suspend, deny, or revoke the debtor's registration. The notice shall:

(i) Be served upon the debtor personally or by certified mail with return receipt requested; and

(ii) State that the debtor's registration shall be suspended, denied, or revoked ninety (90) days after service unless within that time the debtor:

(a) Pays the entire debt stated in the notice;

(b) Enters into a payment plan, service obligation, or complies with a payment plan previously entered into and approved by TSAC or the guarantee agency;

(c) Requests and qualifies for deferment, forbearance, or other satisfactory compliance; or

(d) Requests a hearing before TSAC or the guarantee agency.

(B) The hearing request by the debtor shall be made in writing and must be received by TSAC or the guarantee agency within twenty (20) days of the date the notice is served.

(C) TSAC or the guarantee agency, upon receipt of a request for a hearing from the debtor, shall schedule a hearing to determine whether determination of delinquency or default, that could result in suspension, denial, or revocation of the debtor's registration. The debtor's registration may not be suspended, denied, or revoked until a determination is reached following the hearing. The issues that may be determined in the hearing are:

- (i) The amount of the debt, if any;
- (ii) Whether the debtor is delinquent or in default;
- (iii) Whether the debtor:
 - (a) Has entered into a payment plan or service obligation approved by TSAC or the guarantee agency;
 - (b) Is willing to enter into a payment plan or service obligation approved by TSAC or the guarantee agency; or
 - (c) Is willing to comply with a payment plan or service obligation previously entered into and approved by TSAC or the guarantee agency; and
- (iv) Whether the debtor is eligible for deferment, forbearance, or other satisfactory compliance.

(D) If a debtor, without good cause, fails to respond to the notice of intent, fails to timely request a hearing, or fails to appear at a regularly scheduled hearing, the debtor's defenses, objections, or request for a payment plan or compliance with a payment plan may be determined to be without merit; and TSAC or the guarantee agency shall enter a final decision and order, requesting suspension, denial, or revocation and further requesting the secretary of state to order the debtor to refrain from engaging in athlete agent activities. TSAC or the guarantee agency shall send a copy of the order to the secretary of state and the debtor.

(E) The administrative hearings under this section shall be conducted in accordance with rules adopted under the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(F)(i) When TSAC or the guarantee agency determines that the debt is paid in full or the debtor has entered into a payment plan, has entered into a service obligation, is otherwise in satisfactory compliance or has complied with a payment plan previously approved by TSAC or the guarantee agency, TSAC or the guarantee agency shall enter an order requesting that the secretary of state terminate the order suspending, denying, or revoking the registration. TSAC or the guarantee

agency shall send a copy of the order to the secretary of state and the debtor. Notwithstanding any other law, or rule to the contrary, when the registration is reinstated, the secretary of state shall not impose a reinstatement fee that exceeds fifty dollars (\$50.00).

(ii) Entry of an order seeking to terminate suspension, denial, or revocation of a registration does not limit the ability of TSAC or the guarantee agency to issue a new order which seeks to suspend, deny, or revoke the registration of the same debtor in the event of another delinquency or default.

(G) TSAC is authorized to promulgate necessary rules and regulations to effectuate the purposes of this subsection (c). All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act.

(d) The secretary of state is authorized to promulgate rules to effectuate the purposes of this section. All such rules shall be promulgated in accordance with the Uniform Administrative Procedures Act.

SECTION 2. The headings to sections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 3. This act shall take effect on September 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 565**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 589 -- Professions and Occupations -- As introduced, allows a homeowner to cancel a contract for alarm services for a period longer than two years by giving 30 days' written notice to the alarm systems contractor after the initial two years if the homeowner has to sell the real property due to medical reasons. Amends TCA Title 62, Chapter 32, Part 3.

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On motion, Senate Bill No. 589 was made to conform with **House Bill No. 1392**.

On motion, House Bill No. 1392, on same subject, was substituted for Senate Bill No. 589.

On motion of Senator Johnson, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 1392** passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 596 -- Emergency Communications Districts -- As introduced, authorizes members of a district's board of directors to participate in board meetings by any electronic means approved by the board; deletes prohibition against reappointing a board member for 48 months following such member's removal for failure to attend board meetings, refusal to execute the law, or neglect of duty; requires that board members' absences be excused when due to military or public safety professional service or training. Amends TCA Section 7-86-314 and Title 8, Chapter 44.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-86-314, is amended by deleting the section in its entirety and substituting the following:

(a)(1) Effective July 1, 2017, any member of the board of directors of an emergency communications district with four (4) consecutive unexcused absences or who fails to attend at least fifty percent (50%) of regularly scheduled meetings within any twelve-month period shall automatically be removed from the board.

(2) Upon removal of a member pursuant to this subdivision (a)(1), the chair of the board of directors or acting chair shall notify the appointing authority in writing that a member has been removed and that a vacancy exists on the board. A successor shall be appointed to serve the remainder of the term of the member being replaced. Any member removed pursuant to subdivision (a)(1), shall be eligible for reappointment at any time by the appointing authority.

(b)(1) If a member of a board of directors of an emergency communications district, or a board of directors of an emergency communications district, refuses to carry out either this chapter or an order of the board after May 20,

1998, such member or board may be removed by order of the chancery court in a jurisdiction in which such emergency communications district operates, upon petition by either the board, or a city or county governing body in the service area of such district.

(2) If a member of a board of directors of an emergency communications district or a board of directors of an emergency communications district knowingly or willfully neglects to perform the duties of such office, such member or board may be removed by order of the chancery court in the jurisdiction in which the emergency communications district operates, upon petition by either the board or a county or city governing body in the service area of such district.

(3) Any member removed pursuant to subdivision (b)(1) or (b)(2) shall not be eligible for reappointment at any time.

SECTION 2. Tennessee Code Annotated, Section 8-44-108, is amended by adding the following as a new subsection:

(d) Notwithstanding this chapter to the contrary, members of an emergency communications district board of directors may participate in meetings by any electronic means approved by such board. A board member who participates in a meeting electronically under this subsection (d) is present for purposes of creating a quorum and voting on matters presented to the board for consideration during the meeting to the same extent as a board member who is physically present at the meeting. Subdivisions (c)(1), (2), and (3) shall apply to meetings held pursuant to this subsection (d).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 596**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbro and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senate Bill No. 657 -- Insurance, Health, Accident -- As introduced, revises reporting requirements for the all payer claims database to exclude self-funded employer sponsored health insurance plans; establishes a Tennessee all payer claims database task force. Amends TCA Title 4 and Section 56-2-125.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting the following:

SECTION 1. (a) There is created the Tennessee all payer claims database task force.

(b) The commissioner of finance and administration shall seek recommendations from the task force in order to review the existing structure, policies, and statute for the all payer claims database. The task force shall make recommendations for the future of the database, including:

- (1) Operation of the all payer claims database;
- (2) Use and access to the all payer claims database;
- (3) Reporting to the all payer claims database; and
- (4) Funding of the all payer claims database.

(c) The task force shall make its recommendations to the chairs of the commerce and labor committee of the senate, health and welfare committee of the senate, insurance and banking committee of the house of representatives, and the health committee of the house of representatives on or before January 15, 2018.

(d) The membership of the task force shall consist of the following:

(1) Three (3) hospital representatives appointed by the commissioner of finance and administration;

(2) Three (3) physician or physician practice representatives appointed by the commissioner of finance and administration;

(3) Three (3) health insurance representatives appointed by the commissioner of finance and administration;

(4) Two (2) employer representatives from companies with self-funded health insurance plans appointed by the commissioner of finance and administration;

(5) One (1) representative from the bureau of TennCare appointed by the commissioner of finance and administration;

(6) The commissioner of commerce and insurance, or the commissioner's designee;

(7) The commissioner of finance and administration, or the commissioner's designee; and

(8) The commissioner of health, or the commissioner's designee.

(e) The commissioner of finance and administration shall call the first meeting of the task force.

(f) The task force shall elect its own officers.

(g) All state agencies shall cooperate with the task force.

(h) Members of the task force shall not receive compensation for their service, except that members may be reimbursed for travel expenses in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 657**, as amended, passed its third and final consideration by the following vote:

Ayes	31
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--31.

A motion to reconsider was tabled.

Senator Dickerson moved that **Senate Bill No. 788** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

Senate Bill No. 789 -- Medical Occupations -- As introduced, enacts the "Surgical Assistant Practice Act." Amends TCA Title 63 and Title 68.

Senator Norris declared Rule 13 on **Senate Bill No. 789**.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

(a) No person shall use or assume the title "registered surgical assistant" unless such person is registered with the board as a registered surgical assistant.

(b) The board shall register as a registered surgical assistant any applicant who presents satisfactory evidence that the applicant:

(1) Holds and maintains a current credential as a surgical assistant or surgical first assistant issued by the National Board of Surgical Technology and Surgical Assisting, the National Surgical Assistant Association, or the National Commission for Certification of Surgical Assistants or their successors;

(2) Has successfully completed a surgical assistant training program during the applicant's service as a member of any branch of the armed forces of the United States; or

(3) Has practiced as a surgical assistant at any time in the six (6) months prior to July 1, 2017, provided the applicant registers with the board by December 31, 2019.

(c) The board shall have the authority to deny, restrict, condition, revoke, or otherwise discipline the registration of a surgical assistant for violation of this section, violation of any rules promulgated pursuant to this section, or any basis provided in § 63-6-214.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 789**, as amended, passed its third and final consideration by the following vote:

Ayes	28
Noes	0

Senators voting aye were: Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

Senate Bill No. 798 -- Alcoholic Beverages -- As introduced, removes automatic and permanent revocation of license for two or more convictions for violations under the consumption of alcoholic beverages on premises law; changes certain requirements for infused products; authorizes hotels to sell sealed packages of alcoholic beverages to registered guests; makes other various changes to alcohol-related laws. Amends TCA Title 57, Chapter 2; Title 57, Chapter 3 and Title 57, Chapter 4.

Senator Yager moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Sections 1, 2, and 5 and renumbering the remaining sections accordingly.

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On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 798**, as amended, passed its third and final consideration by the following vote:

Ayes	27
Noes	0

Senators voting aye were: Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Harper, Harris, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--27.

A motion to reconsider was tabled.

Senate Bill No. 906 -- Game and Fish Laws -- As introduced, establishes that requirements on the size, placement and inspection of steel traps used in the taking of wildlife be set by rule or proclamation of the fish and wildlife commission, as necessary, rather than by statute. Amends TCA Title 70, Chapter 1, Part 1 and Section 70-4-120.

On motion, Senate Bill No. 906 was made to conform with **House Bill No. 733**.

On motion, House Bill No. 733, on same subject, was substituted for Senate Bill No. 906.

House Bill No. 733 passed its third and final consideration by the following vote:

Ayes	23
Noes	4

Senators voting aye were: Bell, Bowling, Briggs, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Norris, Roberts, Tate, Watson, Yarbrow and Mr. Speaker McNally--23.

Senators voting no were: Beavers, Crowe, Niceley and Stevens--4.

A motion to reconsider was tabled.

Senate Bill No. 1244 -- Courts, Juvenile -- As introduced, requires an adjudicating court to inform a child of the need to petition the court for expunction of a juvenile record; requires the administrative office of the courts to create and distribute an expunction petition form; requires juvenile court clerks to make the expunction petition form available to all petitioners, and to send notice of the right to petition for expunction to a child when the child attains 17 years of age. Amends TCA Section 37-1-153.

On motion, Senate Bill No. 1244 was made to conform with **House Bill No. 577**.

On motion, House Bill No. 577, on same subject, was substituted for Senate Bill No. 1244.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 577** passed its third and final consideration by the following vote:

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Ayes 30
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Watson, Yarbrow and Mr. Speaker McNally--30.

A motion to reconsider was tabled.

Senate Bill No. 1253 -- Juvenile Offenders -- As introduced, makes various changes to the expunction of juvenile court records, including creating a process for the expunction of juvenile court records for cases in which the juvenile successfully completed pretrial or judicial diversion. Amends TCA Section 37-1-153 and Section 40-32-101.

On motion, Senate Bill No. 1253 was made to conform with **House Bill No. 636**.

On motion, House Bill No. 636, on same subject, was substituted for Senate Bill No. 1253.

On motion of Senator Kelsey, Amendment No. 1 was withdrawn.

Thereupon, **House Bill No. 636** passed its third and final consideration by the following vote:

Ayes 29
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Watson and Yarbrow--29.

A motion to reconsider was tabled.

MR. SPEAKER MCNALLY RELINQUISHES CHAIR

Mr. Speaker McNally relinquished the Chair to Senator Tracy.

Senator Bailey moved that **Senate Bill No. 1364** be rereferred to the Committee on Calendar, which motion prevailed.

Senate Bill No. 1387 -- Health, Dept. of -- As introduced, requires the department to maintain a lupus education and awareness program, which includes conducting a needs assessment, developing a directory of lupus-related services and providers, engaging in public awareness activities, establishing a grant program to educate and train providers on lupus, and reporting annually on the program to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives. Amends TCA Title 4; Title 33; Title 50; Title 56; Title 63 and Title 68.

Senator Johnson moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the caption and substituting the following:

WHEREAS, the General Assembly finds and declares that it is estimated that over thirty-five thousand Tennesseans suffer from lupus, an autoimmune disease in which the body's disease-fighting system attacks healthy tissues and organs, with effects ranging from inflammation, damage to bodily structures, seizures, strokes, heart attacks, miscarriages, and organ failure, to loss of life; and

WHEREAS, although anyone can develop lupus, it strikes mostly women of childbearing age (25-44), with African-American, Hispanic, Asian, and Native American women two to three times more likely than Caucasians to develop lupus; and

WHEREAS, lupus, with symptoms similar to many other illnesses, can be difficult to diagnose, taking an average of six years from onset of symptoms to a confirmed diagnosis; and

WHEREAS, the General Assembly finds and declares that it is in the public interest for this State to improve education and awareness about lupus for healthcare providers and the general public; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. (a) There is created the Tennessee Task Force on Lupus Education and Awareness.

(b) The task force shall consist of the following members:

(1) One (1) member of the senate appointed by the speaker of the senate;

(2) One (1) member of the house of representatives appointed by the speaker of the house of representatives;

(3) The commissioner of health or the commissioner's designee;

(4) The commissioner of commerce and insurance or the commissioner's designee;

(5) The commissioner of finance and administration or the commissioner's designee;

(6) A lupus patient appointed by the speaker of the senate;

(7) A representative of a community organization working to create awareness and provide education about lupus appointed by the speaker of the house of representatives; and

(8) Additional task force members to be appointed by the speaker of the senate or the speaker of the house of representatives, as needed in the determination of each speaker.

(c) The task force shall be convened by the legislative member with the most years of continuous service in the general assembly, and at its first meeting shall elect a chair, vice chair, and other officers the task force deems necessary.

(d) The members of the task force shall serve without compensation or reimbursement for expenses incurred by them in the performance of their duties.

(e) All appropriate state agencies shall provide assistance to the task force upon request of the chair.

(f) The task force shall have the following duties and responsibilities:

(1) Consider the report provided by the Joint Lupus Study Committee created by Chapter 871 of the Public Acts of 2016 of information on lupus endorsed by government agencies, including the National Institutes of Health and the Centers for Disease Control and Prevention;

(2) Investigate the level of education concerning lupus in this state, including, but not limited to, public awareness and education of healthcare providers; and

(3) Develop recommendations for increasing awareness of lupus among the general public and healthcare providers.

(g) The task force shall submit its findings and recommendations to the governor and general assembly in the form of a state plan to increase awareness about lupus no later than January 31, 2018, at which time the task force shall terminate and stand dissolved and discharged from any further duties.

(h) The task force may solicit and accept donations, gifts, grants, property, or matching funds from any public or private source for the use of the council in performing its functions under this act.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1387**, as amended, passed its third and final consideration by the following vote:

Ayes 31
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager and Yarbro--31.

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A motion to reconsider was tabled.

Senate Joint Resolution No. 108 -- General Assembly, Statement of Intent or Position -- Urges resolution of societal problems stemming from fatherless homes and divorce.

Senator Kelsey moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting the RESOLVING clause and substituting instead the following:

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED TENTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we urge and encourage Tennessee's churches and other religious institutions, elected officials, government agencies, community leaders, nonprofit organizations, businesses, and citizens to work together to address the many societal problems that cause or contribute to and stem from fatherless homes and divorce.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Joint Resolution No. 108**, as amended, was adopted by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Speaker Pro Tempore Tracy moved that **Senate Bill No. 609** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

Speaker Pro Tempore Tracy moved that **Senate Bill No. 622** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

Senate Bill No. 639 -- Health Care -- As introduced, authorizes certain healthcare providers or individual medical professionals to execute a contract with the department of health or a governmental contractor to deliver volunteer healthcare services to eligible low-income patients. Amends TCA Title 63; Title 68 and Title 71.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Title 63, Chapter 6, Part 7, is amended by adding the following new section:

(a) Notwithstanding this title to the contrary, a healthcare provider may satisfy one (1) hour of continuing education requirements for maintaining a license issued pursuant to this title through the performance of one (1) hour of voluntary provision of healthcare services as provided in this part. The maximum amount of hours of a continuing education requirement that a healthcare provider may satisfy through the voluntary provision of healthcare services pursuant to this subsection (a) is the lesser of eight (8) hours annually or twenty percent (20%) of the total annual required for the applicable license.

(b) Upon providing evidence of completion of the voluntary provision of healthcare services, the healthcare provider shall identify in any documentation required to be submitted to the applicable licensing board, the name and contact information of the sponsoring organization.

(c) The division of health related boards may promulgate rules to administer this section in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, including a fee to be charged to the healthcare provider for satisfying continuing education requirements pursuant to this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 639**, as amended, passed its third and final consideration by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senator Dickerson moved that **Senate Bill No. 790** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

Senate Bill No. 845 -- Medical Occupations -- As introduced, requires the board of medical examiners to list the types of practitioners that are exempt from the practice of medicine requirements on its website. Amends TCA Section 63-6-204.

Senator Crowe moved to amend as follows:

AMENDMENT NO. 1

AMEND by deleting Section 1 and substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 63-6-204(a)(3), is amended by deleting the subdivision and substituting instead the following:

(3) This chapter shall not apply to surgeons of the United States army, navy, air force, or marine hospital service regardless of the hospital or practice site; provided, that the surgeon's practice is part of the surgeon's authorized military service or training. This chapter shall also not apply to any registered physician or surgeon of other states when called in consultation by a registered physician of this state, or to midwives, veterinary surgeons, osteopathic physicians, or chiropractors not giving or using medicine in their practice, or to opticians, optometrists, chiropodists, or Christian Scientists.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 845**, as amended, passed its third and final consideration by the following vote:

Ayes 32
Noes 0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

Senator Stevens moved that **Senate Bill No. 1087** be placed on the Calendar for Thursday, April 13, 2017, which motion prevailed.

MESSAGE CALENDAR

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 224 -- Chiropractors -- As introduced, allows chiropractic physicians to enter into a direct primary care agreement with an individual patient or the patient's legal representative. Amends TCA Title 63, Chapter 1, Part 5.

HOUSE AMENDMENT NO. 2

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. Nothing in this act authorizes a chiropractic physician to use a title other than the titles recognized in Tennessee Code Annotated, Section 63-1-109(a)(1).

Senator Roberts moved that the Senate concur in House Amendment No. 2 to **Senate Bill No. 224**, which motion prevailed by the following vote:

Ayes 32
Noes 0

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Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yager, Yarbrow and Mr. Speaker McNally--32.

A motion to reconsider was tabled.

SENATE BILL ON HOUSE AMENDMENT

Senate Bill No. 393 -- Education -- As introduced, changes, from a written request to a signed written statement, the way in which a parent of a dual enrollment high school student authorizes the student's high school to forward the student's immunization records to the postsecondary institution. Amends TCA Title 49, Chapter 6 and Title 49, Chapter 7.

HOUSE AMENDMENT NO. 1

AMEND by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 49-7-124(e), is amended by deleting the language "The Tennessee higher education commission is" and substituting instead the language "The governing boards of each public institution of higher learning are".

SECTION 2. Tennessee Code Annotated, Section 49-7-125(c), is amended by deleting the language "The Tennessee higher education commission is" and substituting instead the language "The governing boards of each public institution of higher learning are".

SECTION 3. Tennessee Code Annotated, Section 49-7-124, is amended by adding the following language as new subsections:

(g) The governing board of each public institution of higher learning, in consultation with the department of health, shall promulgate rules regarding immunization requirements for students enrolled within each respective institution. All such rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(h) Notwithstanding subsection (g), each public institution of higher learning shall strive to collect immunization records for students enrolling in the institution.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Gresham moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 393**, which motion prevailed by the following vote:

Ayes	30
Noes	0

Senators voting aye were: Bailey, Beavers, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Green, Gresham, Haile, Harper, Harris, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Norris, Overbey, Roberts, Stevens, Tate, Tracy, Watson, Yarbrow and Mr. Speaker McNally--30.

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A motion to reconsider was tabled.

MOTION

Senator Yager moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 1288** on the calendar for the Committee on State and Local Government for Tuesday, April 11, 2017, which motion prevailed.

MOTION

On motion of Senator Overbey, his name was added as sponsor of **Senate Bills Nos. 788 and 1227**.

On motion of Senator Massey, her name was added as sponsor of **Senate Bill No. 489**.

On motion of Senator Yarbrow, his name was added as sponsor of **Senate Bill No. 494**.

On motion of Senator Kelsey, his name was added as sponsor of **Senate Bill No. 513**.

On motion of Senator Bowling, her name was added as sponsor of **Senate Bill No. 524**.

On motion of Senator Roberts, his name was added as sponsor of **Senate Bill No. 555**; and **House Joint Resolutions Nos. 88 and 100**.

On motion of Senator Crowe, his name was added as sponsor of **Senate Bill No. 763**.

On motion of Senator Bowling, her name was added as prime sponsor of **Senate Bill No. 1110**.

On motion of Senator Dickerson, his name was added as sponsor of **Senate Bill No. 1110**.

On motion of Senator Gresham, her name was added as sponsor of **Senate Bill No. 1160**.

On motion of Mr. Speaker McNally, his name was added as sponsor of **Senate Bills Nos. 1230 and 1267**.

On motion of Senators Harper and Yarbrow, their names were added as sponsors of **Senate Bills Nos. 1244 and 1253**.

On motion of Senator Harris, his name was added as sponsor of **Senate Bill No. 1279**.

On motion of Senator Yager, his name was added as sponsor of **Senate Bill No. 1288**.

On motion of Senators Harris and Harper, their names were added as sponsors of **House Joint Resolution No. 108**.

On motion of Senator Bailey, his name was added as sponsor of **House Joint Resolutions Nos. 234 and 238**.

On motion of Senator Beavers, her name was added as sponsor of **House Joint Resolutions Nos. 235 and 236**.

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ENGROSSED BILLS

April 11, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 482, 494, 513, 565, 596, 639, 657, 665, 763, 789, 798, 837, 845 and 1387; and Senate Joint Resolutions Nos. 108, 250, 294 and 295; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

ENGROSSED BILLS

April 10, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bill No. 1160; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 11, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 276, 404, 473, 615, 646, 672, 872, 931, 1227, 1287, 1419, 1420 and 1422; passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 11, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 252, 253, 254, 255, 256, 257, 258, 259, 260, 261 and 262; adopted, for the Senate's action.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 10, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 17, 19, 48, 221, 448, 551, 885, 999, 1198, 1215, 1216 and 1217; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

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MESSAGE FROM THE HOUSE

April 10, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 509, 811, 1154, 1160 and 1261; substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 10, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 123, 124, 125, 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 291 and 292; concurred in by the House.

TAMMY LETZLER,
Chief Clerk

ENROLLED BILLS

April 11, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Joint Resolutions Nos. 123, 124, 125, 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 291 and 292; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,
Deputy Chief Clerk

MESSAGE FROM THE HOUSE

April 11, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 56, 61, 95, 113, 227, 309, 318, 320, 579, 641, 688, 1043 and 1366; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 11, 2017

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 108, 234, 235, 236 and 238; for the signature of the Speaker.

TAMMY LETZLER,
Chief Clerk

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SIGNED

April 10, 2017

The Speaker announced that he had signed the following: Senate Bills Nos. 159, 195, 293, 433, 575, 611, 677, 695, 819, 1187 and 1353.

SIGNED

April 11, 2017

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 123, 124, 125, 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 291 and 292.

SIGNED

April 11, 2017

The Speaker announced that he had signed the following: House Bills Nos. 56, 61, 95, 113, 227, 309, 318, 320, 579, 641, 688, 1043 and 1366.

MESSAGE FROM THE HOUSE

April 10, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 159, 195, 293, 433, 575, 611, 677, 695, 819, 1187 and 1353; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

MESSAGE FROM THE HOUSE

April 10, 2017

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 180, 272, 273, 274, 275, 276, 277 and 290; signed by the Speaker.

TAMMY LETZLER,
Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

April 10, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 180, 272, 273, 274, 275, 276, 277 and 290; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

REPORT OF DEPUTY CHIEF CLERK

April 11, 2017

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 159, 195, 293, 433, 575, 611, 677, 695, 819, 1187 and 1353; for his action.

ALAN WHITTINGTON,
Deputy Chief Clerk

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**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 13, 2017: Senate Joint Resolutions Nos. 296, 297, 298, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311 and 312; Senate Resolutions Nos. 54, 55, 56, 57 and 58; and House Joint Resolutions Nos. 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250 and 251.

This the 11th day of April, 2017
MASSEY, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following resolution on the calendar for Thursday, April 13, 2017: Senate Resolution No. 37.

This the 11th day of April, 2017.
MASSEY, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
LOCAL CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Thursday, April 13, 2017: Senate Bills Nos. 1431, 1433 and 1434.

This the 11th day of April, 2017
MASSEY, Chairperson

REPORT OF COMMITTEE ON CALENDAR

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, April 13, 2017: Senate Bills Nos. 149, 217, 327, 401, 520, 631, 723, 875, 997, 998, 1394, 1418, 297, 517, 568, 609, 622, 669, 788, 790, 927, 968, 989 and 1087.

This the 11th day of April, 2017
MASSEY, Chairperson

**REPORT OF COMMITTEE ON CALENDAR
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bill and it has been set on the Message Calendar for Thursday, April 13, 2017: Senate Bill No. 256.

This the 11th day of April, 2017
MASSEY, Chairperson

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ADJOURNMENT

Senator Norris moved the Senate adjourn until 8:30 a.m., Thursday, April 13, 2017, which motion prevailed.